

ATLANTA CITY COUNCIL

ACTION/MINUTES

JANUARY 07, 2002

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, January 07, 2002 in conjunction with the Inauguration Ceremony of the Mayor, President of Council, Councilmembers and Judges. The Inauguration was held at 11:30a.m in the Civic Center and then recessed. The President of Council and Councilmembers convened at 3:00 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

PRESIDER: The Honorable Cathy Woolard, Council President presided.

Attendance:

The following (15) voting members were present at the Meeting:

The Honorable Carla Smith	The Honorable Felicia Moore
The Honorable Debi Starnes	The Honorable C. T. Martin
The Honorable Ivory Lee Young, Jr.	The Honorable Jim Maddox
The Honorable Cleta Winslow	The Honorable Derrick Boazman
The Honorable Natalyn Mosby Archibong	The Honorable Ceasar C. Mitchell
The Honorable Anne Fauver	The Honorable Mary Norwood
The Honorable Charles Howard Shook	The Honorable H. Lamar Willis
The Honorable Clair Muller	

INVOCATION: Chaplain Thomas Houston of the Atlanta Fire Department Chaplaincy Program gave the invocation.

PLEDGE OF ALLEGIANCE: In unison, the Council recited the Pledge of Allegiance to the flag of the United States of America.

REPORT OF THE JOURNAL: Ms. Rhonda Dauphin Johnson, Municipal Clerk, certified to the Council and the Committee on Council, that the **Action Minutes** of the **December 03, 2001 Regular Meeting** of the Atlanta City Council are true and correct. The Minutes were **FILED** without objection.

THE ADOPTION OF THE AGENDA: The **Agenda** for the **January 07, 2002** meeting was **ADOPTED** without objection.

COMMUNICATION

Council President Cathy Woolard Presided

COMMUNICATION

02-C 0093 (1) A Communication by **Felicia Strong-Whitaker**, Director for the Bureau of Purchasing and Real Estate submitting the monthly contract status report for November 2001 to the Atlanta City Council and Clerk of Council in accordance with Section 2-1142 of the Code of Ordinances for the City of Atlanta.

FILED WITHOUT OBJECTION

UNFINISHED BUSINESS

Council President Cathy Woolard Presided

UNFINISHED BUSINESS

NONE

CONSENT AGENDA

Council President Cathy Woolard Presided

CONSENT AGENDA

NONE

COMMITTEE REPORTS

Council President Cathy Woolard Presided

COMMITTEE REPORTS

NONE

PERSONAL PAPERS

Council President Cathy Woolard Presided

PERSONAL PAPERS

RESOLUTIONS/ADOPTED

- 02-R-0035 (1) A Resolution by **Councilmembers Debi Starnes, Cleta Winslow, Derrick Boazman, Anne Fauver, Carla Smith, H. Lamar Willis, Ceasar Mitchell, Mary Norwood and Howard Shook** selecting Councilmember Clair Muller to membership of the Atlanta Regional Commission.
ADOPTED BY A UNANIMOUS VOICE VOTE

RESOLUTIONS/REFERRED

- 02-R-0036 (1) A Resolution by **Councilmember Felicia A. Moore** urging the Mayor to appoint members of the Citizen's Service Planning Review Commission by March 15 2002; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-R-0038 (2) A Resolution by **Councilmember H. Lamar Willis** authorizing the City Attorney to hire Hunton & Williams as private counsel for an amount not to exceed \$80,000, to provide all legal services necessary to pursue a request for a private letter ruling from the Internal Revenue Service regarding the City's ability to refund outstanding Series 1994A and Series 1996 Airport Revenue Bonds, with the costs thereof to be charged to and paid from Fund, Account, Center No. 2H27 529009 T31001; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-R-0077 (3) A Resolution by **Zoning Committee** extending interim development control for property located at **1150 Peachtree Street, NE, Atlanta**, and known as the Wimbish House (A.K.A. Atlanta Woman's Club), from 120 to 180 days; to repeal conflicting resolutions; and for other purposes.
REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION
- 02-R-0078 (4) A Resolution by **Zoning Committee** extending interim development control for the proposed district to be known as Inman Park Historic District, from 120 to 180 days; to repeal conflicting resolutions; and for other purposes.
REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

- 02-R-0088 (5) A Resolution by **Councilmember Clair Muller** authorizing the City of Atlanta and Fulton County, jointly, to protect and preserve the historically significant Harmony Grove Cemetery located at 214 West Paces Ferry Road, NW, as outlined in Georgia Code Section 36-72-3.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 02-O-0089 (6) An Ordinance by **Councilmember Clair Muller** authorizing the Mayor to execute a franchise agreement with Broadwing Telecommunications Services, Inc. for the provision of Telecommunications Services using public right-of-way; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 02-O-0090 (7) An Ordinance by **Councilmember Clair Muller** anticipating and appropriating bond proceeds in the amount of \$8,000,000.00 from the Annual 2001 General Obligation Bond issue to fund various Municipal Projects; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-O-0091 (8) An Ordinance by **Councilmember Clair Muller** anticipating and appropriating the proceeds of the \$61,220,000.00 2000 Quality of Life Improvement Bonds sold on December 05, 2001 and closed on December 20, 2001; amending the 2002 (Sinking Fund) Budget for the purpose of anticipating the accrued interest and the appropriation of these funds toward payment of interest on the bonds; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-O-0092 (9) An Ordinance by **Councilmember Clair Muller** establishing the 2001 Water and Wastewater Bond Construction Fund Budget by anticipating and appropriating bond proceeds and accrued interest to fund various Consent Decree Projects, to refund certain outstanding Water and Wastewater Revenue Bonds; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED

- 02-O-0037 (1) An Ordinance by **Councilmember Felicia A. Moore** to amend the Pension Laws applicable to police officers of the City of Atlanta so as to increase the monthly pension benefit of officers where a determination has been made by the Board of Trustees of the Police Officers Pension Fund that an officer has become disable as a result of a catastrophic injury received in the line of duty; to provide that said ordinance shall be retroactive; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-O-0039 (2)
Z-01-74 An Ordinance by **Zoning Committee** rezoning from the RG-2 (Residential General-Sector 2) District to the RG-3 (Residential General-Sector 3) District, property located at **1930 Defoor Avenue, N.W.**, fronting 150 feet on the Westerly side of Defoor Avenue beginning 729 feet Southerly from the West line of Land Lot 186. Depth: 545.31 feet; Area: 1.6 acres; Land Lot 186, 17th District, Fulton County, Georgia. Owner: Carolyn J. West; Applicant: Jim W. Brown; NPU-D Council District 9.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION
- 02-O-0040 (3)
Z-01-76 An Ordinance by **Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta by creating a new chapter to be entitled Chapter 33.LW (Live Work) District Regulations and to amend Chapter 16-28A.010 by adding a new Subsection (39) LW (Live Work) District; and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION
- 02-O-0041 (4)
Z-01-77 An Ordinance by **Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta by creating a new chapter to be entitled Chapter 34. RCM (Residential Commercial Mix) District Regulations and to amend Chapter 16-28A.010 by adding a new Subsection (40) RCM (Residential Commercial Mix) District; and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

02-O-0042 (5)
Z-01-87 An Ordinance by **Zoning Committee** to rezone from the LD-20A, Subarea 3 (Cabbagetown-Shotgun and Cottage Housing) District to the LD-20A, Subarea 4 (Cabbagetown-Neighborhood Commercial/Services) District, property located at **154-158 Carroll Street, S.E.** fronting 84 feet on the East side of Carroll Street beginning 41.91 feet South from the Southeast corner of Tenelle Street. Depth: 90.68 feet; Area: 15,666 square feet; Land Lot 20, 14th District, Fulton County, Georgia. Owner: Elizabeth Kane; Applicant: same; NPU-N Council District 5.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0043 (6)
Z-01-40 An Ordinance by **Zoning Committee** to rezone from the C-2 (Commercial Service) District to the PD-MU (Planned Development-Mixed Use) District, property located at **563 Memorial Drive, S.E.**, fronting 199.63 feet on the South side of Memorial Drive beginning at the Southeast corner of Park Avenue. Depth: 200 feet; Area: .9165 acres; Land Lot 44, 14th District, Fulton County, Georgia. Owner: D and S Acquisitions Group, LLC; Applicant: Urban Realty partners, LLC; By: Mark B. Riley and John Reagan; NPU-W Council District 1.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0044 (7)
Z-01-78 An Ordinance by **Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta by creating a new chapter to be entitled Chapter 35. MR (Multi-Family Residential) District Regulations and to amend Chapter 16-28A.010 by adding a new Subsection (41) MR (Multi-Family Residential) District; and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0045 (8)
Z-01-71 An Ordinance by **Zoning Committee** rezoning from the R-4 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **McDonough Boulevard, S.E.** fronting 678.94 feet on the Southwesterly side of McDonough Boulevard beginning 612.40 feet Northwesterly from the Southwest corner of Henry Thomas Drive. Depth: varies; Area: 24.35 acres; Land Lots 8, 25, 26, 14th District, Fulton County, Georgia. Owner: William Freemans; Applicant: Dianna S. Johnson; NPU-Z Council District 1.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

02-O-0046 (9)
Z-01-69 An Ordinance by **Zoning Committee** rezoning from the RG-2 (Residential General-Sector 2) District to the RG-3 (Residential General-Sector 3) District, property located at **3663-3667 Peachtree Road, N.E.** fronting approximately 162 feet on the Southerly side of Peachtree Road Beginning approximately 680 feet Easterly and Northeasterly from the Southeast corner of Roxboro Road. Depth: approximately 372 feet; Area: approximately 1.4 acres; Land Lot 10, 17th District, Fulton County, Georgia. Owner: 3663 Peachtree, LLC; Applicant: Robert J. Denson; NPU-B Council District 7.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0047 (10)
Z-01-80 An Ordinance by **Zoning Committee** to rezone from the R-5 (Two-Family Residential) District to the PD-MU (Planned Development-Mixed Use) District, property located at **514-540 Moreland Avenue, N.E.** fronting 299.77 feet on the West side of Moreland Avenue beginning 150 feet North from the Northwest corner of Mansfield Street. Depth: 235.46 feet; Area: 1.509 acres; Land Lot 15, 14th District, Fulton County, Georgia. Owner: Joyce Mitchell et. al.; Applicant: Robert E. Reed For Preston and Associates, Architects; NPU-N Council District 2.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0048 (11)
Z-01-81 An Ordinance by **Councilmember Michael J. Bond** authorizing the Mayor or his designee to amend the Zoning Ordinance and the maps established in connection therewith be changed so that the following property located at **1316 Boulevard, S.E.** be changed from the R-4 (Single Family Residential) District, to the C-1 (Community Business) District; and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0049 (12)
Z-01-63 An Ordinance by **Zoning Committee** to rezone from the R-4 (Single-Family Residential) District to the R-4A (Single-Family Residential) District, property located at **460 Patterson Avenue, S.E.,** fronting 284 feet o the East side of Patterson Avenue beginning 291.60 feet South from the Southeast corner of Metropolitan Avenue. Depth: 263.78 feet; Area: 1.708 acres; Land Lot 177, 15th District, DeKalb County, Georgia. Owner: Grayson Communities, Inc.; Applicant: same; By: Gus Pounds; NPU-W Council District 5.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

02-O-0050 (13)
Z-01-96

An Ordinance by **Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta, as amended, so as to create a new chapter to be entitled 20J, Inman Park Historic District; to establish overlay regulations for said district; to enact, by reference and incorporation, a map establishing the boundaries of said district; and to designate and zone all properties lying within the boundaries of said district to the overlay zoning category of Historic District (HD) pursuant to Chapter 20 of the Zoning Ordinance of the City of Atlanta, Rezoning from R5 (Two-Family Residential), RG1 (Residential General Sector 1), RG2 (Residential General Sector 2), RG3 (Residential General Sector 3), RLC (Residential-Limited Commercial), RLC-C (Residential-Limited Commercial Conditional), C1(Community Business), C2 (Commercial Service), C2C (Commercial Service Conditional), I1 (Light Industrial), I2 (Heavy Industrial), and SPI5 (Inman Park Special Public Interest), to R5/HD (Two-Family Residential/Historic District), RG1/HD (Residential General Sector 1/Historic District), RG2/HD (Residential General Sector 2/Historic District), RG3/HD (Residential General Sector 3/Historic District), RLC/HD (Residential-Limited Commercial/Historic District), RLC-C/HD (Residential-Limited Commercial Conditional/Historic District), C1/HD (Community Business/Historic District), C2/HD (Commercial Service/Historic District), C2C/HD (Commercial Service Conditional/Historic District), I1/HD (Light Industrial/Historic District), I2/HD (Heavy Industrial/Historic District), and SPI5/HD (Inman Park Special Public Interest/ Historic District); to repeal conflicting laws; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0051 (14)
Z-01-97

An Ordinance by **Zoning Committee** designating the Wimbish House (a. k. a. Atlanta Woman's Club), located at **1150 Peachtree Street, NE**, Land Lot 106, of the 17th District of Fulton County, Georgia and certain real property on which it is located, to the overlay zoning designation of landmark building or site pursuant to Chapter 20 of the Zoning Ordinance of the City of Atlanta and rezoning from C4 (Central Area Commercial Residential) to C4/LBS (Central Area Commercial Residential/Landmark Building or Site); to repeal conflicting laws; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

02-O-0052 (15)
U-01-44 An Ordinance by **Zoning Committee** granting a Special Use Permit for a rehabilitation center (Section 16-06.005 (1) (g), property located at **3557 Valeland Avenue, S.W.** fronting 162.2 feet on the Northside of Valeland Avenue beginning 380 feet East from the Northeast corner of Barge Road. Depth: 200 feet; Area: 32,440 square feet; Land Lot 252, 14th District, Fulton County, Georgia. Owner: Archie J. Harris; Applicant: same; NPU-P Council District 11.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0053 (16)
U-01-48 An Ordinance by **Zoning Committee** granting a Special Use Permit for a day care center (Section 16-06.005 (1) (b), property located at **1629 Beecher Street, S.W.** fronting 96.02 feet on the North side of Beecher Street beginning at the Northeast corner of Alvarado Terrace. Depth: 104.92 feet; Area: 10,202 square feet; Land Lot 150, 14th District, Fulton County, Georgia. Owner: Valerie R. Belt-Jones; Applicant: Metro Atlanta Child Care Services, Inc.; NPU-T Council District 10.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0054 (17)
U-01-49 An Ordinance by **Zoning Committee** granting a Special Use Permit for a Telecommunications Tower (Co-Location) (Section 16-16.005 (1) (h), property located at **2370 (aka 2392) Verbena Street, S.W.** fronting 627.68 feet on the South side of Verbena Street beginning at the Southwest corner of Fairfield Place. Depth: varies; Area: 3.83 acres; Land Lot 180, 14th District, Fulton County, Georgia. Owner: Heritage Propane; Applicant: Group EMF, Inc. Agent For Metro PCS Georgia, Inc.; NPU-J Council District 3.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0055 (18)
U-01-50 An Ordinance by **Zoning Committee** granting a Special Use Permit for a Telecommunications Tower (Co-Location) (Section 16-07.005 (1) (i), property located at **1689 (aka 1669-1671) Pryor Road, S.W.**, fronting approximately 325 feet on the West side of Pryor Road beginning at the Northwest corner of Hipp Street. Depth: 373.05 feet; Area: 2.70 acres; Land Lot 72, 14th District, Fulton County, Georgia; Owner: Kim Jong; Applicant: Group EMF, Inc., Agent For Metro PCS of Georgia; NPU-Y Council District 12.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

02-O-0056 (19)
U-01-51 An Ordinance by **Zoning Committee** granting a Special Use Permit for a Solid Waste Transfer Station (Section 16-17.005 (1) (p), property located at **1111 Ridge Avenue, S.W.** fronting 732.23 feet on the Southwesterly side of Ridge Avenue beginning 1163.5 feet Southeasterly from the Southeasterly corner of Pryor Street. Depth: 289.50 sq. ft.; Area: 4.5235 acres; Land Lot 74, 14th District, Fulton County, Georgia; Owner: Charles R. Thompson; Applicant: Charles R. and Libbie Thompson; NPU-V Council District 2.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0057 (20)
U-01-53/U-64-25 An Ordinance by **Zoning Committee** to amend Ordinance U-64-25 approved by the Mayor and Board of Aldermen July 6, 1964 for property located at **140 (aka 154) Hemphill School Road, N.W.** granting a Special Use Permit for a church, so as to permit a site plan amendment. Owner: New Hope United Methodist Church, Inc.; applicant: same; By: Ronald B. Hatcher, esq., attorney; NPU-H Council District 10.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0058 (21)
U-01-52 An Ordinance by **Zoning Committee** granting a Special Use Permit for a child development center (Section 16-06A.005 (1) (b), property located at **2751 Peyton Road, N.W.** fronting 671.54 feet on the North side of Peyton Road beginning at the Northwest corner of James Jackson Parkway. Depth: 429.98 feet; Area: 6.32 acres; Land Lot 256, 17th District, Fulton County, Georgia. Owner: Atlanta Board of Education; Applicant: Early Learning Property Management, Inc.; By: Audrey Donatelli, President; NPU-D Council District 9.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0059 (22)
Z-01-92 An Ordinance by **Zoning Committee** to rezone from the R-5 (Two-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **573 Johnson Avenue, N.E.** fronting approximately 40 feet on the South side of Johnson Avenue beginning 146.79 feet West from the Southwest corner of Randolph Street. Depth: varies; Area: approximately 0.73 acre; Land Lot 46, 14th District, Fulton County, Georgia. Owner: Byron Washington; Applicant: William L. Stephenson; NPU-M Council District 2.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

02-O-0060 (23)
Z-01-94/Z-93-38 An Ordinance by **Zoning Committee** to amend Ordinance Z-93-38, as amended, adopted by the City Council December 20, 1993 and approved by the Mayor December 27, 1993, rezoning from the I-1 (Light Industrial) District to the C-5-C (Central Business Support-Conditional) District, property located at **Northside Drive/Nelson Street/Haynes Street/Peters Street/McDaniel Street, S.W. (Castleberry Hill)** for the Purpose of approving a change of conditions. Owner: various; Applicant: Herman J. Russell; By: Michelle L. Battle; NPU-M Council District 3.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0061 (24)
Z-01-93 An Ordinance by **Zoning Committee** to rezone from the I-1 (Light Industrial) District/HD-20I (Adair Park Historic District) District to the C-1 (Community Business) District/HD-20I (Adair Park Historic District) District, property located at **806 Murphy Avenue, S.W.** fronting 213 feet on the Southeasterly side of Murphy Avenue beginning at the Northeast corner of Gillette Avenue. Depth: varies; Area: 2.235 acres; Land Lot 107, 14th District, Fulton County, Georgia. Owner: Mary H. Federer; Applicant: Da Q Pau, Inc.; By: Lawrence C. Kasmien, esq.; NPU-V Council District 4.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0062 (25)
Z-01-41 An Ordinance by **Zoning Committee** to rezone from the R-5 (Two-Family Residential) and C-1-C (Community Business-Conditional) Districts to the C-1-C (Community Business-Conditional) District, property located at **980-1034 Pulliam Street, S.W. and 1046 Ridge Avenue, S.W.**, fronting approximately 300 feet on the Northeasterly side of Ridge Avenue beginning at the Northeast corner of Pulliam Street. Depth: varies; Area: approximately 1.76 acres; Land Lot 74, 14th District, Fulton County, Georgia. Owner: Southside Medical Center; Applicant: Steve R. Barnes; NPU-V Council District 2.
REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

02-O-0063 (26)
Z-01-79/Z-82-88

An Ordinance by **Zoning Committee** to amend Ordinance Z-82-88, adopted by City Council November 1, 1982 and approved by the Mayor November 4, 1982, rezoning from the R-5 (Two-Family Residential) District to the C-1-C (Community Business-Conditional) District, property located at the **Northwest corner of Campbellton Road, S.W. and Star Mist Drive, S.W.** for the purpose of approving a site plan amendment and change of conditions. Owner: Capitol City Bank and Trust Company; Applicant: Shirley Langley; By: Edward R. Downs, Jr. esq., attorney; NPU-R Council District 11.

REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

02-O-0064 (27)
Z-01-82

An Ordinance by **Zoning Committee** to rezone from the I-2 (Heavy Industrial) District (Tract 1) and the I-1 (Light Industrial) District (Tract 2) to the O-I (Office-Institutional) District, property located at **1200 Foster Street, N.W. (Tract 1) and 866 Ernest Street, N.W. (Tract 2)**, fronting 113.0 feet on the Northwesterly side of Foster Street beginning 258 feet Southwesterly from the Southwest corner of Huff Road (Tract 1) and fronting 60 feet on the South side of Ernest Street beginning 460 feet West from the Southwest corner of Huff Road (Tract 2) Depth: varies; Area: 13.571 acres; (Total); Land Lots 150 and 189, 17th District, Fulton County, Georgia. Owner: Robert S. Haywood; Applicant: The Howard School, Inc.; By: Nathan V. Hendricks, III esq. Attorney; NPU-D Council District 9.

REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

02-O-0065 (28)
Z-01-88

An Ordinance by **Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta, as amended, by adding a new Subsection (1) (i) to Section 16-20C.006, so as to provide for offices as a permitted use within Subarea 3 of the Martin Luther King, Jr. Landmark District; and for other purposes.

REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

02-O-0066 (29)
Z-01-89/Z-95-74

An Ordinance by **Zoning Committee** to amend Ordinance Z-95-74, adopted by City Council February 5, 1996 and approved by operation of law February 13, 1996, rezoning from various zoning classifications to various zoning classifications, property located in the Mechanicsville Neighborhood for the purpose of approving a change of conditions for part of Tract 30 of said ordinance, more particularly **757 Central Avenue, S.W.**, currently zoned C-1-C (Community Business-Conditional) District. Owner: Stella M. Steele; Applicant: Moses Steele, Jr.; NPU-V Council District 2.

REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

02-O-0067 (30) An Ordinance by **Zoning Committee** to amended Section 16
Z-01-90 -20K.006 of the Code of Ordinances by adding a new subsection,
to correct an internal inconsistency in Section 16-20K.007 by
deleting a sentence in said subsection to the 1982 Zoning
Ordinance of the City of Atlanta, as amended; and for other
purposes.

REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

02-O-0068 (31) An Ordinance by **Zoning Committee** granting a Special Use
U-01-45 Permit for a Park-For-Hire Facility (Section 16-11.005 (1) (k),
property located at **757 Central Avenue, S.W.**, fronting 150 feet
on the West side of Central Avenue beginning 219.0 feet North
from the Northwest corner of Dodd Street. Depth: 108 feet; Area:
approximately 16,200 square feet; Land Lot 75, 14th District,
Fulton County, Georgia. Owner: Stella M. Steele; Applicant:
Moses Steele, Jr.; NPU-V Council District 2.

REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

02-O-0069 (32) A Substitute Ordinance by **Zoning Committee** to amend
Z-01-72/Z-70-121 Ordinance Z-70-121, as amended, adopted by the Board of
Aldermen on October 2, 1972 and approved by the Mayor on
October 6, 1972 rezoning from the C-L (Commercial Limited)
District to the C-1-C (Community Business-Conditional) District,
property located at **Continental Colony Parkway, S.W.** for the
purpose of approving a revised site plan and change of conditions.
Owner: Continental Colony, LLC; Applicant: OTG Partners, LLC;
By: Carl E. Westmoreland, Jr., Attorney; NPU-R Council District
11.

REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

02-O-0070 (33) A Substitute Ordinance by **Zoning Committee** to amend the
Z-01-86 1982 Zoning Ordinance of the City of Atlanta, as amended, by
rezoning from LD20C/Subarea 2, Residential District to LD-
20C/Subarea 3-C Institutional-Conditional District, property
located at **79, 81 and 85 (a. k. a. 75-77 and 85) Boulevard, N.
E.**, fronting 111.86 feet on the East side of Boulevard, beginning
160.47 feet North from the Northeast corner of Old Wheat Street
and Boulevard. Depth: 135 feet; Area: 16,200 square feet; Land
Lot 46, 14th District, Fulton County, Georgia. NPU-M Council
District 2.

REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

02-O-0071 (34) A Substitute Ordinance by **Zoning Committee** to amend
U-01-46/U-63-11 Ordinance U-63-11, adopted by the Board of Aldermen June 17, 1963 and approved by the Mayor June 19, 1963, granting a Special Use Permit for a church, property located at **3761 Adamsville Drive, S.W.** for the purpose of approving a site plan amendment and a transfer of ownership. Owner: Agape Church-Of-God/Angela Woods and Heirs; Applicant: Rev. Freddie M. Woods, Sr.; NPU-H Council District 10.
REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

02-O-0072 (35) A Substitute Ordinance by **Zoning Committee** to amend
U-01-47/U-82-32 Ordinance U-82-32, as amended, adopted by City Council November 1, 1982 and approved by the Mayor November 4, 1982, granting a Special Use Permit for a day care and preschool nursery, property located at **1929 Myrtle Drive, S.W.**, for the purpose of approving a site plan amendment. Owner: Anderson J. Globe; Applicant: same; NPU-R Council District 11.
REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

02-O-0073 (36) An Ordinance by **Zoning Committee** to amend Ordinance Z-90-
Z-01-84/Z-90-42 42, adopted by the City Council on January 7, 1991 and approved by the Mayor on January 11, 1991, rezoning from the C-2 (Commercial Service) District to the I-1-C (Light Industrial-Conditional) District, property located at the **Northwest corner of Windsor Street, S.W. and Eugenia Street, S.W.** for the purpose of approving a site plan amendment. Owner: Douglas P. Hooker; Applicant; Next Outdoor L. C.; By: Michael W. Tyler, esq., attorney; NPU-V Council District 2.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0074 (37) An Ordinance by **Zoning Committee** granting a Special Use
U-01-30 Permit for a church (Sections 16-05.005 (1) (c) and 16-06.005 (1) (c), property located at **2075 Austin Road, S.W.** fronting approximately 600 feet on the West side of Austin Road beginning approximately 320 feet South from the Southwest corner of King Arthur Road. Depth: varies; Area: approximately 45.25 acres; Land Lots 7 and 31, 14thFF, District, Fulton County, Georgia; Owner: Ben Hill United Methodist Church; Applicant: John R. Mapp, Jr.; NPU-P Council District 11.
REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

02-O-0075 (38)
Z-01-83 An Ordinance by **Zoning Committee** to rezone from the R-5 (Two-Family Residential) District to the RG-4 (Residential General-Sector 4) District, property located at **617 John Wesley Dobbs Avenue, N.E.** fronting 60 feet on the South side of John Wesley Dobbs Avenue beginning 203.24 feet East from the Southeast corner of Randolph Street. Depth: 153 feet; Area: 9,180 square feet; Land Lot 19, 14th District, Fulton County, Georgia. Owner: Calavino I. Donati; Applicant: same; NPU-M Council District 2.
REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

02-O-0076 (39)
Z-01-85 An Ordinance by **Zoning Committee** to rezone from the R-3 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **4161-4185 Lake Forrest Drive, N.E. and 42-52 Interlochen Drive, N.E.** fronting approximately 400 feet on the East side of Lake Forrest Drive beginning at the Northeast corner of Interlochen Drive. Depth: approximately 564 feet; Area: 4.42 acres; Land Lot 96, 17th District, Fulton County, Georgia. Owner: Woodward T. King; Applicant: Bernard J. Cass et. al.; By: Carl E. Westmoreland, Jr., esq. Attorney; NPU-B Council District 8.
REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

02-O-0079 (40)
Z-01-66 An Ordinance by **Zoning Committee** to rezone from the I-1 (Light Industrial) District and the R-4 (Single-Family Residential) District to the PD-MU (Planned Development-Mixed Use) District, property located at **3217-3269 Browns Mill Road, S.E.** fronting approximately 662.5 feet on the West side of Browns Mill Road beginning approximately 181 feet South from the Southwest corner of Oak Drive. Property also fronts approximately 450 feet on the Northeasterly side of Empire Boulevard. Depth: varies; Area: 56.5 acres; Land Lots 35, 62, 63 and 67, 14th District, Fulton County, Georgia. Owner: Willard C. Byrd et. al; Applicant: The Knight Group; NPU-Z Council District 12.
REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

02-O-0080 (41)
Z-01-70 An Ordinance by **Zoning Committee** rezoning from the I-2 (Heavy Industrial) District and the I-1 (Light Industrial) District to the I-1 (Light Industrial) District and the C-2 (Commercial Service) District, property known as **1721 DeKalb Avenue, N.E.** and more particularly described as follows:

Tract 1 – from I-2 and I-1 to C-2, **Arizona Avenue, N.E.** – fronting 134.39 feet on the West side of Arizona Avenue beginning 575 feet South from the Southwest corner of LaFrance Street. Depth: varies; Area: 2.36063 acres;

Tract 2 – from I-2 and I-1 to C-2, **N.E. corner of Arizona Avenue and Rogers Street, N.E.** – fronting 153.92 feet on the Easterly side of Arizona Avenue beginning at the Northeast corner of Rogers Street. Depth: varies; Area: 0.78773 acres;

Tract 3 – from I-2 to I-1, **Arizona Avenue, N.E.**, fronting 513.35 feet on the East side of Arizona Avenue beginning at the Southeast corner of Rogers Street. Depth: 322.15 feet.

REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

02-O-0081 (42)
CDP-01-32 An Ordinance by **Zoning Committee** to amend the Land Use Element of the City of Atlanta 2002 Comprehensive Development Plan (CDP) so as to re-designate property located at **980-996 Pulliam Street, S.W. and 1046 Ridge Avenue, S.W.** from the “Low-Density Residential” Land Use Element to the “Low-Density Commercial” Land Use Designation; and for other purposes. NPU-V Council District 2.

REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

02-O-0082 (43)
CDP-01-33 An Ordinance by **Zoning Committee** to amend the Land Use Element of the City of Atlanta 2002 Comprehensive Development Plan (CDP) so as to re-designate property that is at **79-81-85 (a.k.a. 75-77 and 85) Boulevard, N.E.** from the “Low Density Residential” Designation to the “Office/Institutional” Designation; and for other purposes. NPU-M Council District 2.

REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 02-O-0083 (44) An Ordinance by **Councilmember Clair Muller** amending Section 2-1292 of the City's Code of Ordinances to clarify procedures for authorizing the City's purchasing agent's execution of contract modifications and change orders to City contracts; to clarify certain errors and inconsistencies in the code section; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-O-0084 (45) An Ordinance by **Councilmembers Clair Muller and Anne Fauver** authorizing the establishment of the Arts Council of the City of Atlanta; for the purpose of providing guidance and support for the arts in the City of Atlanta; for the selection of members; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 02-O-0085 (46) An Ordinance by **Councilmember Clair Muller** to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 10, Article II, Division 2, Section 10-66, to require the Mayor to grant or deny any Alcoholic Beverage License application within ninety (90) calendar days of receipt from the License Review Board; and to give the Mayor the ability to remand an Alcoholic Beverage License application to the License Review Board for further hearing; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION
- 02-O-0086 (47) An Ordinance by **Councilmember Clair Muller** to replace Division 7, entitled "Animal-Drawn Vehicles," Sections 162-146 through 162-161, of Chapter 162 of the City of Atlanta's Code of Ordinances, with new language, so as to strengthen regulations in this trade; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION
- 02-O-0087 (48) An Ordinance by **Councilmember Clair Muller** amending Article II, Division 3 (Sanitary) rates and charges section of the City of Atlanta's Code of Ordinances; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

Council President Cathy Woolard Presided

ADJOURNMENT

There being no further business to discuss the January 07, 2002 meeting of the Atlanta City Council was adjourned at 3:51 p.m.

ADJOURNMENT ROLL CALL: Council President Cathy Woolard (1); Councilmembers Smith, Starnes, Young, Winslow, Archibong, Fauver, Shook, Muller, Moore, Martin, Maddox, Boazman, Mitchell, Norwood and Willis (15).